

10/586415

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

18 JUL 2006

Applicants: Bartizal et al.

Serial No. TBD

Filed: July 18, 2006

For: 6,11-3C-BICYCLIC 8A-AZALIDE DERIVATIVES

Art Unit: TBDExaminer: TBD

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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INFORMATION DISCLOSURE STATEMENT

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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

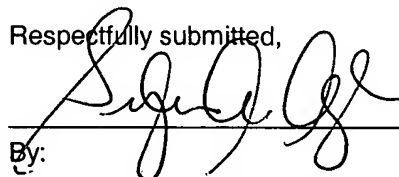
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: _____
Attorney _____ For Applicant(s)

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Date: July 18, 2006

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	TBD 10/586415	
			Filing Date	July 18, 2006	
			First Named Inventor	Bartizal et al.	
			Group Art Unit	AP20 Rec'd PCT/PTO 18 JUL 2006	
Examiner Name					
Sheet	1	of	3	Attorney Docket Number	21610Y

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		4474768		Bright	10/02/1984
		4517359		Kobrehel et al.	05/14/1985
		US20040157787		Or et al.	08/12/2004
		US20040053861		Or et al.	03/18/2004
		US2004/0171818		Xu et al.	09/02/2004
		6764998		Wang et al.	07/20/2004
		5866549		Or et al.	02/02/1999
		5686587		Yang et al.	11/11/1997
		5985844		Heck et al.	11/16/1999
		6054434		Kropp et al.	04/25/2000
		6339063		Kropp et al.	01/15/2002
		6645941		Wang et al.	11/11/2003
		4990602		Morimoto et al.	02/05/1991
		4331803		Watanabe et al.	05/25/1982
		4680386		Morimoto et al.	07/14/1987
		4670549		Morimoto et al.	06/02/1987

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number Kind Code (if known)		
			WO 98/56801	Pfizer Products Inc.	12/17/1998
			WO 98/56802	Pfizer Products Inc.	12/17/1998
			WO 99/00124	Merck & Co. Inc.	01/07/1999
			WO 99/00125	Merck & Co. Inc.	01/07/1999
			WO 99/19331	Merck & Co. Inc.	10/13/1998
			EP 0007614	Merck & Co. Inc.	02/06/1980
			EP 260938	Taisho Pharmaceutical Co. Ltd.	09/18/1986

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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN	
	Application Number	TBD		
	Filing Date	July 18, 2006		
	First Named Inventor	Bartizal et al.		
	Group Art Unit			
	Examiner Name			
Sheet	2	of	3	Attorney Docket Number 21610Y

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		S. M. Berge et al., "Pharmaceutical Salts", 1977, pp. 1-19, Vol. 66, No. 1., J. of Pharmaceutical Sciences.
		M. Beller et al., "Palladacycles as Efficient Catalysts for Aryl Coupling Reactions", 1995, pp. 1848-1849, Vol. 34, No. 17, Angew. Chem. Intl. Ed. Engl.
		L. Cotarca et al., "Bis(trichloromethyl) carbonate in Organic Synthesis", 1996, pp. 553-576, Synthesis.
		L. G. Donaruma et al., 1960, pp. 1-156, Vol. 11, Org. React. (Reference will be forwarded as soon as hard copy is received).
		R. E. Gawley et al., 1988, pp. 1-420, Vol. 35, Org. React. (Reference will be forwarded as soon as hard copy is received).
		C. G. McCarty et al., "The Chemistry of the Carbon-Nitrogen Double Bond", 1970, pp. 408-439,
		J. R. Hauske et al., "Comprehensive Organic Synthesis", 1991, pp. 98-100, Comp. Org. Syn.
		K. Maruoka et al., ""Functional Group Transformations via Carbonyl Derivatives", pp. 763-793, Vol. 6, Ibid.
		D. Craig et al., "The Beckmann and Related Reactions", pp. 689-702, Vol. 7, Ibid
		D. B. Dess et al, "Readily Accessible 13-I-5 Oxidant for the Conversion of Primary and Secondary Alcohols to Aldehydes and Ketones", 1983, pp. 4155, Vol. 48, J. Org Chem.
		E. J. Corey et al., " A New and Highly Effective Method for the Oxidation of Primary and Secondary Alcohols to Carbonyl Compounds", 1972, pp. 7586-7587, Vol. 94, J. Am. Chem. Soc.
		J. G. Moffatt, "Sulfoxide-Carbodiimide and Related Oxidations", 1971, pp. 1-64, Chapter 1, Vol. 2, Oxidation.
		T.T. Tidwell, "Oxidation of Alcohols to Carbonyl Compounds via Alkoxysulfonium Ylides: The Moffatt, Swern, and Related Oxidations", 1990, pp. 297-572, Vol. 39, Org. React.
		T. V. Lee et al., "Oxidation Adjacent to Oxygen of Alcohols by Activated DMSO Methods", 1991, pp. 291-303, Vol. 7, Comp. Org. Syn.
		Burke et al., "The Dioxanone-to-Dihydropyran Claisen Rearrangement, Synthesis of C(7)-C(13) Fragments of Erythronolides A and B", 1987, pp. 4143-4146, J. Org. Chem

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			Group Art Unit		
			Examiner Name		
Sheet	3	of	3	Attorney Docket Number	21610Y

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		Rathke et al., "The Horner-Wadsworth-Emmons Modification of the Wittig Reaction Using Triethylamine and Lithium or Magnesium Sals", 1985, pp. 2624-2626, J. Org. Chem.
		Maryanoff et al., "The Wittig Olefination Reaction and Modifications Involving Phosphoryl-Stabilized Carbanions. Stereochemistry, Mechanism, and Selected Synthetic Aspects", 1989, pp. 863-927, Chem. Rev
		Sonogashira et al., "A Convenient Synthesis of 1-Alkynyl Ketones and 2-Alkynamides", 1977, pp. 777-778, Synthesis.
		Suzuki et al., "Recent Advances in the Cross-Coupling Reactions of Organoboron Derivatives with Organic Electrophiles, 1995-1998", 1999, pp. 147-168, Vol 576, J. of Organometallic Chemistry.
		Stille et al., "Palladium-Katalysierte Kupplungsreaktionen Organischer Elektrophile mit Organozinn-Verbindungen", 1986, pp. 504-519, Angew Chem. Int. Ed. Engl.
		Farina et al., "Large Rate Accelerations in the Stille Reaction with Tri-2-furylphosphine and Triphenylarsone as Palladium Ligands: Mechanistic and Synthetic Implications", 1991, pp. 9585-9595, J. Am. Chem. Soc
		R. F. Heck et al. "Palladium Reagents and Palladium Recovery" 1985, pp. 1-18, Chapter 1, Palladium Reagents in Organic Synthesis.
		A. Furstner et al., "Ruthenium Carbene Complexes with N,N-Bis (mesityl) imidazol-2-ylidene Ligands: RCM Catalysts of Extended Scope", 2000, pp. 2204-2207, Vol. 65, J. Org. Chem
		B. A. Chauder, "Metathesis. The Schrock and Grubbs Catalysts", 1992, pp. 267, Vol. 2 Synlett.
		M. Delgado et al., "Ring-Closing Metathesis in the Synthesis of Large and Medium Sized Oxacycles, Application to the Synthesis of Polyoxxygenated Macrocycles", 1999, pp. 4798-4816, J. Org. Chem.
		M. Schuster et al., "Olefin Metathesis in Organic Chemistry", 1997, pp. 2036-2056, Angew. Chem. Int. Ed. Engl.
		K. Sonogashira, "Coupling Reactions Between sp ² and sp Carbon Centers", Vol. 3, Chapters 2.4, Comprehensive Organic Synthesis.
		R. H. Grubbs et al., "Tetrahedron Report Number 448", 1998, pp. 4413-4450, Tetrahedron.

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